

REMARKS

By this Amendment, claims 1, 5, 7, 8, 11, 15, 17, 18, 20, 24, 26, 27, 30, 24, 35, 37 and 39-41 have been amended. No claims have been cancelled or newly added. Support for the instant amendments is provided throughout the as-filed application. No new matter has been added. Thus, claims 1-41 remain pending.

In view of the foregoing amendments and the following comments, allowance of all the claims pending in the application is respectfully requested.

INTERVIEW SUMMARY

As a preliminary matter, Applicant would like to express appreciation for the courtesies extended by Examiner Campen to Applicant's representative (the undersigned) during the telephonic Interview conducted on September 2, 2010 (hereinafter "the Interview"). The substance of the Interview is incorporated into the remarks below and constitutes Applicant's record of the Interview.

OBJECTION TO THE SPECIFICATION

The Specification was objected to because the Abstract included language allegedly improper for use in the abstract (e.g., "the invention provides"). As pointed out during the Interview, the Abstract had been previously amended in the Response to Final Office Action filed on July 10, 2006, to remove the language previously reciting the term "invention." Accordingly, withdrawal of the objection to the specification is earnestly sought.

DOUBLE PATENTING REJECTION

Claims 1-37 were *provisionally* rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-56 of co-pending U.S. Patent Application Serial No. 09/877,926 (hereinafter "the '926 application"). As discussed during the Interview, the filing of the Terminal Disclaimer on July 6, 2010 obviates the

double patenting rejection based on the '926 application. Accordingly, the double patenting rejection of claims 1-37 based on the '926 application should be withdrawn.

REJECTION UNDER 35 U.S.C. § 101

Claims 1-41 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicant disagrees with the propriety of this rejection for *at least* the reasons provided in the Pre-Appeal Brief Request for Review filed on July 6, 2010 ("the Pre-Appeal Brief"), which are incorporated herein by reference.

However, solely to expedite prosecution and in no way acquiescing to the propriety of the rejection, Applicant has amended the process claims to recite "the method *being executed by one or more processors* and comprising: ..." and the system claims to recite "the electronic collaboration tool includes one or more processing systems *comprising one or more processors collectively configured to ...*" as discussed during the Interview. (emphasis added). Claims 1-41 therefore, do not recite an abstract idea.

Accordingly, the rejection of claims 1-41 under 35 U.S.C. § 101 should be withdrawn.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-41 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as his invention.

Applicant traverses this rejection for *at least* the reason that the Board of Patent Appeals and Interferences (BPAI) reversed a similar rejection of claims 1-59 in the related '926 application under 35 U.S.C. § 112, second paragraph. See Decision mailed September 25, 2009 (hereinafter "the Decision"). In the Decision, the BPAI held that "[e]ach of the [*allegedly indefinite claim*] terms [including 'collaborate,' 'enabling,' 'to interact,' 'events,' 'actions,' 'client' and 'participants'] when read in light of the Specification can be reasonably understood to render a valid interpretation of the involved language." Decision, page 8.

Accordingly, withdrawal of the rejection of claims 1-42 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103

In the Office Action:

- I. Claims 1-7, 9-17, 19-26, 28-36, and 38-40 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zucknovich, *et al.* (hereinafter "Zucknovich"); and
- II. Claims 8, 18, 27, 37, and 41 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zucknovich in view of Day, *et al.* (hereinafter "Day").

Applicant disagrees with the propriety of each of these rejections for *at least* the reasons presented in Pre-Appeal Brief, which are incorporated herein by reference. However, solely in an effort to expedite prosecution and in no way acquiescing to the propriety of the rejections, Applicant has amended the claims to further clarify aspects of the claimed invention as discussed during the Interview.

In particular, amended claim 1 recites, *inter alia*, enabling the financial services provider participants to provide the requested services includes enabling bi-directional communication between each of the financial services clients and the financial services provider participants and further enabling multi-directional communication among the authorized participants, wherein the electronic collaboration tool is configured to enable the financial service provider participants: (i) to access at least a portion of the stored financial services client data and documents according to the financial service provider participant's scope of authorization; (ii) to modify one or more accessed documents via the electronic collaboration tool such that the one or more modified documents are accessible to the financial services client and authorized ones of the financial service provider participants through the electronic collaboration tool; and (iii) to store the one or more modified documents.

As pointed out during the Interview, the cited portions of Zucknovich do not disclose, teach, or otherwise render obvious these features. Thus, the rejection of independent claim 1

is improper and patentable over Zucknovich. Independent claims 11, 20, 30 and 39 recite similar recitations as independent claim 1, and therefore are also patentable over Zuchnovich. Claims 2-10, 12-19, 21-29, 31-38, 40 and 41 ultimately depend from one of independent claims 1, 11, 20, 30 and 39 and therefore are also patentable over the cited portions of the relied-upon references for the reasons noted above with respect to claims 1, 11, 20, 30 and 39, as well as for the additional features they recite individually.

Accordingly, the rejections of claims 1-41 under 35 U.S.C. § 103(a) should be withdrawn and the claims be allowed.

CONCLUSION

Having addressed each of the foregoing objections and rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

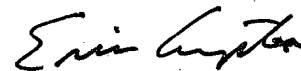
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

If an extension of time is necessary to prevent abandonment of this application, then such an extension of time is hereby petitioned for under 37 C.F.R. §1.136(a). Any fees required (including fees for net addition of claims) are hereby authorized to be charged to **Deposit Account No. 033975** (Ref. No. **019213-0311422**).

Date: **September 7, 2010**

Respectfully submitted,

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